



The Commonwealth of Massachusetts
William Francis Galvin, Secretary of the Commonwealth
Public Records Division

Rebecca S. Murray
Supervisor of Records

May 6, 2019
SPR19/0665

Jason R. Stelmat
Privacy Officer
Commonwealth Fusion Center
Massachusetts State Police
124 Acton Street
Maynard, MA 01754

Dear Officer Stelmat:

I have received your request for reconsideration regarding a determination related to a petition to assess fees submitted by the Department of Massachusetts State Police (Department) in regard to a request for public records. G. L. c. 66, § 10A; see also 950 C.M.R. 32.08(1). Specifically, on February 11, 2019, Daniel Kaufman requested, “[a]ny and all communications, memorandum, reports, and documents individually or jointly referencing the hate groups The Daily Stormer, Aryan Strike Force, and The Gallows Tree Wotansvolk Alliance.”

In my April 4th determination, I found the Department had not met its burden to demonstrate it submitted a timely petition requesting permission to charge for time spent segregating or redacting responsive records. 950 C.M.R. 32.06(4)(g).

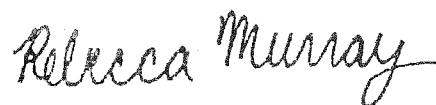
In the Department’s request for reconsideration, the Department indicates “[t]he 10-day fee petition deadline was only missed due to unforeseen illness and the requestor was more than understanding about extending the deadline. Furthermore, I would note that Mr. Kaufman was already on notice of the approximate cost to fulfill his request within six business days of submitting the request.”

In light of the Department’s request for reconsideration, the Department must show legal authority that allows the Supervisor to grant a fee petition submitted past the statutory deadline, or any legal authority that allows the parties to agree to extend this statutory deadline for submitting fee petitions. Accordingly, the Department may submit a supplemental response to this office within 5 business days.

Jason R. Stelmat
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Sincerely,

A handwritten signature in cursive script that reads "Rebecca Murray". The signature is written in dark ink and is positioned above the printed name and title.

Rebecca S. Murray
Supervisor of Records

cc: Daniel Kaufman